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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,038	12/01/2000	Hung Chen	AMAT/3778/CMP/CMP/RKK	2584
32588	7590	01/30/2008		
APPLIED MATERIALS, INC. P. O. BOX 450A SANTA CLARA, CA 95052			EXAMINER GRANT, ALVIN J	
			ART UNIT 3723	PAPER NUMBER
			MAIL DATE 01/30/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/728,038

Applicant(s)

CHEN ET AL.

Examiner

ALVIN J. GRANT

Art Unit

3723

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 4-13, 15, 16, 19-33 and 37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4-13, 15, 16, 19-33 and 37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 28-31** are rejected under 35 U.S.C. 102(e) as being anticipated by Beardsley 6,299,515.

Beardsley et al. discloses a rotatable platen for a polishing system, comprising a patterned pad mounting surface forming a plurality of non-intersecting fluid retaining grooves each having a portion oriented at an angle relative to a radial line originating at a center of the pad (see Figs. 7-9).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1, 2, 4-7, 9-12, 16, 19, 20, 26, 27 and 32, 33 and 37** are rejected under 35 U.S.C. 103(a) as being unpatentable over Rubino et al 5,527,215 in view of Osterheld 5,921,855.

Rubino et al. discloses a semiconductor polishing device having the claimed features, except that Rubino et al. does not explicitly state that the depth of the groove changes along the its length. Rubino et al. does not specifically disclose the grooves having varying slopes. Osterheld et al. discloses a polishing pad having sloping grooves so as to enhance the flow of the polishing fluid. It would have been obvious to one having ordinary skills in the art at the time the invention was made to have made the pad of Rubino et al. to have sloped grooves as taught by Osterheld et al. so as to enhance the flow of the fluid.

4. **Claims 23 and 24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Rubino et al. in view of Beardsley.

Rubino et al. is described above. Rubino et al. does not disclose a platen containing non-intersecting fluid retaining grooves. Beardsley et al. discloses a CMP apparatus comprising a rotating platen that contains recesses that distribute the slurry, which provides for a uniformly planarized workpiece and also creates a system which also removes slurry for disposal or reuse. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the platen of the Rubino et al. apparatus to include grooves so as to distribute the slurry along prescribed paths assuring more even distribution of the slurry and creating a system for removing the slurry for reuse or disposal as taught by Beardsley et al.

5. **Claims 21, 22, 25 and 29** are rejected under 35 U.S.C. 103(a) as being unpatentable over Meikle et al. in view of Beardsley et al. and further in view of Okamura et al. '830 B1.

Meikle et al. as modified is described above. Meikle et al. does not disclose a polishing pad with linear grooves. Okamura et al. discloses an apparatus for chemical mechanical polishing using polishing pads containing linear grooves to provide for a more even distribution of pressure on the workpiece thus producing a better quality finish. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the platen of Elliott et al. to include linear grooves so as to allow for distribution of the slurry and the pressure transmitted to the workpiece as taught Okamura et al.

Response to Arguments

6. Applicant's arguments filed 9/13/07 have been fully considered but they are not persuasive.

- In response to applicant's arguments that Osterheld et al. (US Patent No. 5,921,855) does not teach, show, suggest, or otherwise grooves which are sloped, Osterheld et al. teaches that the depth of the grooves may be changed. It should be pointed out also the applicant did not claim a "sloped" groove.
- In response to applicant's arguments that Rubino et al. (US Patent No. 5,527,215) in combination with Osterheld et al. does not teach, show, suggest, or otherwise make obvious a substrate polishing pad, comprising: (a) a polishing

surface on a first side of the substrate polishing pad; and (b) a mounting surface on a second side of the substrate polishing pad, wherein at least one of the polishing surface and the mounting surface has a plurality of non-intersecting fluid retaining grooves formed therein, see Figs. 2-5 of Osterheld et al. and Figs. 6-9 of Robino et al.

- In response to applicant's arguments that the combination of Rubino, et al. with Osterheld et al. does not teach, show, suggest, or otherwise make obvious a substrate polishing pad, comprising: (a) a polishing surface on a first side of the substrate polishing pad; and (b) a mounting surface on a second side of the substrate polishing pad, wherein at least one of the polishing surface and the mounting surface has a plurality of non-intersecting fluid retaining grooves formed therein, wherein the grooves are disposed so that upon a given direction of movement of the substrate polishing pad a fluid disposed in the grooves is urged to flow from an outer portion toward a center portion of the substrate polishing pad, and wherein the grooves are formed on the mounting surface and the substrate polishing pad comprises perforations extending between the polishing surface and the mounting surface, and wherein a depth of at least one of the non- intersecting fluid retaining grooves changes along a length of the at least one non- intersecting fluid retaining groove. (See above).
- In response to applicant's arguments that Beardsley et al. (US patent No. 6,299,515) does not teach, show, suggest, or otherwise make obvious grooves which are tapered or sloped with an indication angle along the length of the

groove, although the claim is read in light of the specification, the contents of the specification are not read into the claim.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALVIN J. GRANT whose telephone number is (571)272-4484. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph J. Hail can be reached on (571) 272-4485. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3723

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ajg

/Joseph J. Hail, III/

Supervisory Patent Examiner, Art Unit 3723